REMARKS/ARGUMENTS

Claims 1-2 and 6-18, 26 and 27 remain active in this case.

Claim 1 is amended to incorporate Claim 5.

No new matter is added.

Applicants thank the Office for withdrawing the previous grounds of rejection.

To the new obviousness rejection citing to Martin and Van Gorkom, Applicants this art does not teach or suggest the claimed spacer. Briefly, the rejection is based on the premise that it would have been obvious to use a coating taught by Van Gorkom into the Martin device (see page 3 of the Action). While Applicants disagree with this hindsight reconstruction of the claims, in any case, what is taught by the combination of art does not teach glass of the coating as is defined in the claims.

Martin describes a glass spacer intended to keep two flat substrates spaced apart. That spacer is made from a glass matrix which exhibits the volume of electronic, activity (see paragraph 15). According to Martin advantageously the electronic conduction in the core of the spacer is limited or even eliminated (see paragraph [0030]) which is achieved by melting the glass matrix in an oxidizing atmosphere so that the transition elements present are in their highest oxidization state thereby converting the melted glass into spacers and submitting the spacers to an annealing treatment in a reducing atmosphere so that the faces of the spacers are made conducting. Moreover, the Martin glass spacer obtained is made of glass having a limited or no electronic conductivity in the core and being electronically conducting on its surface. Martin spacer does not include a coating comprising at least one layer of glass exhibiting electronic conductivity as required in Claim 1 of the present application.

Van Gorkom describes a flat-panel picture display comprising among other things a flu spacer in the form of a sheet provided with apertures. The flu spacer is made of an insulating material, for example glass (col. 2, lines 41-42). In Fig. 6, the flu spacer 101 is

coated with layers 14 and 18 where: the layers are obtained by spinning or spraying a suspension of comprising Cr_2O_3 particles, glass particles and an organic binder, e.g isopropanol, then heating the obtained coating at a temperature between 400 and 500'C (col. 9, line 61 - col. 10, line 1).

At this heating temperature, the organic binder is eliminated while the glass particles melt and coat the surface on which they are applied. The Cr_2O_3 particles which have a very high softening temperature (2435°C) are not modified and are merely embedded in the glass. The resultant layer 14 or 18 is an enamel which is composed of glass and of Cr_2O_3 particles dispersed therein. The glass composition does not contain chromium oxide.

The spacer according to claim 1 provides that the at least one layer of the at least one coating is made of glass exhibiting electronic conductivity which comprises 1 to 30 mol % of at least one oxide of the transition elements (B).

The layer 14 or 18 disclosed by Van Gorkom is an enamel with Cr_2O_3 particles dispersed in the glass. Van Gorkom does not teach or suggest that the layer is a glass, the composition of which comprises chromium oxide (as one of the components entering into the constitution of the glass). This point appears to have been already recognized by the Office in raising the rejection. Notably in the rejection (see page 3 of the Action), the limitation of claim 5 were rejected based on Martin's disclosure of the spacer. However, as claim 5 defined the composition of the coating (which is now what is defined in claim 1), the relevant teachings for coatings according to the rejection come from Van Gorkom and Van Gorkom does not teach a coating comprises of glass having the compositional definition as provided in claim 1, the claims could not have been obvious based on the combined teachings of Martin and Van Gorkom.

Withdrawal of the rejection is requested.

A Notice of Allowance for all pending claims is also requested.

Respectfully submitted,

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